

FIRST REGULAR SESSION

SENATE BILL NO. 162

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BLAND.

Pre-filed December 1, 2000, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

0472S.011

AN ACT

To amend chapter 441, RSMo, by adding thereto one new section relating to right of access by a landlord to a lessee's premises.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 441, RSMo, is amended by adding thereto one new section, to be known as section 441.238, to read as follows:

441.238. 1. A landlord may enter the premises rented by a lessee only for a reasonable business purpose and after making a good faith effort to give the lessee reasonable notice under the circumstances of the intent to enter. A lessee may not waive and the landlord may not require the lessee to waive the lessee's right to prior notice of entry under this section as a condition of entering into or maintaining the lease.

2. If the landlord enters when the lessee is not present and prior notice has not been given, the landlord shall disclose the entry by placing a written disclosure of the entry in a conspicuous place in the premises.

3. If a landlord substantially violates subsection 1 of this section, the lessee is entitled to a penalty which may include a rent reduction up to a full rescission of the lease, recovery of any security deposit less any amount retained under section 535.300, RSMo, and up to one hundred dollars for each violation.

4. The provisions of this section are effective for oral and written leases entered in or renewed on or after January 1, 2002.